

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: 9/14/2023

DAVID McGLYNN

Plaintiff,

- against -

SINOVISION INCORPORATED,

Defendant.

23 Civ. 4826 (VM)

ORDER

VICTOR MARRERO, United States District Judge.

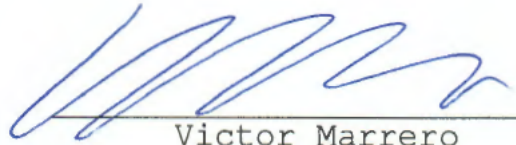
On August 18, 2023, and consistent with the Court's Individual Practices, counsel for defendant Sinovision Incorporated ("Defendant") sent counsel for plaintiff David McGlynn ("Plaintiff") a pre-motion letter identifying alleged deficiencies in the Complaint that Plaintiff filed in this action, and that allegedly would provide a basis for a motion to dismiss. (See Dkt. No. 11.) On August 24, 2023, also consistent with the Court's Individual Practices, counsel for Plaintiff filed a letter in response, opposing the grounds that the Defendant stated in favor of the proposed motion. (See Dkt. No. 12-1.) On August 26, 2023, the Court received a letter from counsel for Defendant asserting that the letter exchange did not resolve the dispute and thus failed to avoid motion practice at this stage of the proceedings. (See Dkt. No. 13.)

Upon review of all pre-motion letters, the Court hereby directs the parties to notify the Court, within seven (7) days of the date of this Order, of whether the parties request supplemental or full briefing on Defendant's proposed motion to dismiss or wish to consent to the Court deeming the pre-motion letters as a fully briefed motion and ruling on the basis of the letters.

If the parties request supplemental or full briefing, they shall submit a proposed briefing schedule within seven (7) days of the date of this Order.

SO ORDERED.

Dated: 14 September 2023
New York, New York



Victor Marrero
U.S.D.J.